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Government of Kerala
1976

Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

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GOVERNMENT OF KERALA

Home (SS) Department

NOTIFICATION

No.10486/SS5/76/Home. *Dated, Trivandrum, 9th April 1976.*

S. R. O. No. 397/76.—In exercise of the powers conferred by section 17 D of the Indian Criminal Law Amendment Act, 1908 (Central Act 14 of 1908), the Government of Kerala hereby cancel the Notification No.27253/SS1-2/75/Home dated 7-7-1975 (SRO No. 562/75) published in the Gazette Extraordinary No. 350. dated 7-7-1975 in so far as it relates to the place mentioned against item 4 under Ernakulam City of the Schedule to the said Notification namely: "Building No. 2/348, Maradu Village Hill Palace Police Station limits".

By order of the Governor,

S. NARAYANASWAMY,
Special Secretary to Government.

Explanatory Note

It is proposed to release the building No. 2/348, Maradu Village Hill Palace Police Station limits which was notified under sub-section (1) of section 17 A of the Indian Criminal Law (Amendment) Act, 1908 to the owner of the building. Hence this notification.

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GOVERNMENT OF KERALA

Local Administration and Social Welfare (K) Department

NOTIFICATION

G.O.(MS)No. 92/76/LA&SWD. *Dated, Trivandrum, 8th April 1976.*

S. R. O. No. 398/76.—Whereas it has been reported to Government that 15 cents of land in Sy. No. 49/2 of Thekkumbhagom Village together with 5 trees standing in the said land was transferred to Thrippunithura Panchayat from Revenue Department on 24-3-1973 for constructing an overhead tank under Rural Water Supply Scheme;

Whereas the Panchayat has remitted Rs. 1,500 towards the cost of improvements in the said land on 24-3-1973;

Whereas the Panchayat has authorised the Executive Officer to dispose of the said trees in public auction in its resolution No. 19 dated 24-3-1973.

Whereas Sri P. A. Raghavan Shenoy, President of the Thrippunithura Panchayat has sold the trees without resorting to public auction and without the knowledge of the Executive Officer in excess of the powers vested in him and in contravention of the decision taken by the Panchayat Committee in its resolution dated 24-3-1973:

Whereas the President has participated in the subsequent panchayat meeting held on 3-5-1973 which approved the above action of the Panchayat President and cancelled its earlier decision dated 24-3-1973, in contravention of the provisions in sub rule (1) of Rule 14 of the Kerala Panchayats (Proceedings of Panchayat Meetings and Committees) Rules, 1962;

Whereas the President has not obtained sanction of the Director of Panchayats for the disposal of the trees in question as required under rules;

Whereas notice under sub-section (3) of section 53 of the Kerala Panchayats Act, 1960 (32 of 1960) was issued to Shri Raghavan Shenoy, President, Thrippunithura Panchayat on 13/30-1-1976 informing him about Government's proposal to remove him from the office of the President of, the said Panchayat for the irregular actions enumerated in the notice and directing him to submit his explanation or objection to the said proposal in writing;

And whereas after having considered the written explanation submitted by Shri Raghavan Shenoy on 28-2-1975 and having heard the president and the then Executive Officer who was in office at that time, Government are satisfied that the President has wilfully abused the powers vested in him as the President of the Thrippunithura Panchayat in the matter as enumerated in the notice No. 25424/K3/73/LA&SWD. dated 13/30-1-1976 issued to him.

Now therefore, in exercise of the powers conferred by sub-section (1) of section 53 of the Kerala Panchayats Act, 1960 (32 of 1960), the Government of Kerala hereby remove the said President Sri P. A. Raghavan Shenoy from the Thrippunithura Panchayat Committee with effect from 10-4-1976.

By order of the Governor,

N. Gopalakrishnan Nair,
Special Secretary.

Explanatory Note

(This note is not part of the notification but is intended to indicate its general purport).

It has been brought to the notice of Government that Shri P. A. Raghavan Shenoy, President of the Thrippunithura Panchayat has acted in excess of his powers vested in him as president by selling trees standing in Sy.No. 49/2 of Thekkumbhagom Village on his own accord in contravention of the decision taken by the Panchayat Committee in their resolution No. 19 dated 24-3-1973. On examining the explanation submitted by Shri Raghavan Shenoy with reference to the relevant provisions in the Act and rules Government are convinced that the President has wilfully abused the powers vested in him as the President of the Panchayat and therefore decided to remove him from Office under section 53 of the Kerala Panchayats Act. This notification is intended to achieve the above object.

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GOVERNMENT OF KERALA

Water and Power (Electricity B) Department

NOTIFICATION

No. 6159/ELB1/76/W & P. *Dated, Trivandrum, 9th April 1976.*

S. R. O. No. 409/76.—Whereas the Government of Kerala are of opinion that it is necessary to appoint a Commission of Inquiry for the purpose of making an inquiry into a definite matter of public importance namely, the circumstances which led to the explosion of an electrical distribution transformer on the northern side of the Cochin Shipyard at Ernakulam on 11th March, 1976, causing fatal accident to an Engineer;

Now, therefore, in exercise of the powers conferred by section 3 of the Commissions of Inquiry Act, 1952 (Central Act 60 of 1952), the Government of Kerala hereby appoint a Commission of Inquiry consisting of Shri P. K. Lekshmanan, District and Sessions Judge, Manjeri as sole member to inquire into and report on the circumstances which led to the said accident.

2. The report should be submitted to the Government within a period of two months from the date of publication of this notification in the Gazette.

3. The Government of Kerala are of opinion, having regard to the nature of the inquiry to be made by the Commission and other circumstances of the case, that all the provisions of sub-sections (2) to (5) of section 5 of the Commissions of Inquiry Act, 1952—

(Central Act 60 of 1952), should be made applicable to the said Commission and the Government of Kerala bereby direct under sub-section (1) of the said section 5 that all the provisions aforesaid shall apply to the said Commission.

By order of the Governor,

G. GOPALAKRISHNA PILLAI,

Secretary.

Explanatory Note

It is considered necessary to appoint a Commission of Inquiry to inquire into the explosion of a distribution transformer by the side of the Cochin Shipyard at Ernakulam which caused a fatal accident to an Engineer, on 11th March, 1976. The notification is intended to achieve the above mentioned object.

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